

# Agenda Item Form

Agenda Date: November 2, 2004

Districts Affected: 7

Dept. Head/Contact Information: Charles D. Ruiz (915) 541-4221  
Community and Human Development

## Type of Agenda Item:

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Resolution            | <input type="checkbox"/> Staffing Table Changes   | <input type="checkbox"/> Board Appointments        |
| <input type="checkbox"/> Tax Installment Agreements       | <input type="checkbox"/> Tax Refunds              | <input type="checkbox"/> Donations                 |
| <input type="checkbox"/> RFP/ BID/ Best Value Procurement | <input type="checkbox"/> Budget Transfer          | <input type="checkbox"/> Item Placed by Citizen    |
| <input type="checkbox"/> Application for Facility Use     | <input type="checkbox"/> Bldg. Permits/Inspection | <input type="checkbox"/> Introduction of Ordinance |
| <input type="checkbox"/> Interlocal Agreements            | <input type="checkbox"/> Contract/Lease Agreement | <input type="checkbox"/> Grant Application         |
| <input type="checkbox"/> Other ____                       |   |  |

## Funding Source:

- ☐ General Fund  
☒ Grant (duration of funds: \_\_\_\_ Months)  
☐ Other Source: \_\_\_\_

## Legal:

- ☒ Legal Review Required      Attorney Assigned (please scroll down): Jeff McElroy      ☒ Approved  
☐ Denied

Timeline Priority: ☒ High      ☐ Medium      ☐ Low      # of days: \_\_\_\_

## Why is this item necessary:

SUBJECT: Release of Lien - 8123 Tigua Circle, El Paso, TX 79907 (Loan No. 1735)

This item refers to a lien placed on the property located at 8123 Tigua Circle, El Paso, Texas, 79907. The owner of said property, Francisca Herrera, has satisfied all obligations deriving from a Housing Rehabilitation Loan of \$8,776.00 with payments of \$36.57 for 240 months at 0% interest rate and a Grant of \$10,224.00 with payments of \$85.20 for 120 months at 0% interest rate, both dated August 29, 1990. (District No. 7.)

## Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:

Grant funded

## Statutory or Citizen Concerns:

None expected

Departmental Concerns: N/A

ITEM: \_\_\_\_\_

SUBJECT: Release of Lien - 8123 Tigua Circle, El Paso, TX 79907 (Loan No. 1735)

This item refers to a lien placed on the property located at 8123 Tigua Circle, El Paso, Texas, 79907. The owner of said property, Francisca Herrera, has satisfied all obligations deriving from a Housing Rehabilitation Loan of \$8,776.00 with payments of \$36.57 for 240 months at 0% interest rate and a Grant of \$10,224.00 with payments of \$85.20 for 120 months at 0% interest rate, both dated August 29, 1990. (District No. 7.)

R

**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of NINETEEN THOUSAND AND NO/100 DOLLARS (\$19,000.00 Grant Note-\$10,224.00, Loan Note-\$8,776.00), against the following described real property:

Lot 17, Block 2, TIGUA PLACE, an addition to the City of El Paso, El Paso County, Texas; according to the plat thereof on file in Book 8, Page 49, Plat Records of El Paso County, Texas; known and numbered as 8123 Tigua Circle

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

**ADOPTED** this 2<sup>nd</sup> day of November, 2004.

THE CITY OF EL PASO

\_\_\_\_\_  
Joe Wardy  
Mayor

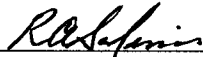
ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Jeff McElroy  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Robert A Salinas, Director  
Community and Human Development

RELEASE OF LIEN

Date:

Note: SECURED GRANT NOTE

Date: August 29, 1990

Original Amount: TEN THOUSAND TWO HUNDRED TWENTY FOUR  
AND NO/100 DOLLARS (\$10,224.00)

Maker: Francisca Herrera

Payee: City of El Paso

Date of Maturity: August 29, 2000

Holder of Note and Lien: City of El Paso

Holder's Mailing Address (including County):

2 Civic Center Plaza  
El Paso, Texas 79901-1196  
El Paso County, Texas

Note: LOAN NOTE

Date: August 29, 1990

Original Amount: EIGHT THOUSAND SEVEN HUNDRED SEVENTY  
SIX AND NO/100 DOLLARS (\$8,776.00)

Maker: Francisca Herrera

Payee: City of El Paso

Date of Maturity: September 1, 2010

Holder of Note and Lien: City of El Paso

Holder's Mailing Address (including County):

#2 Civic Center Plaza  
El Paso, Texas 79901-1196  
El Paso County, Texas

Note and Lien are described in the following documents recorded in:

Builder's and Mechanic's Lien Contract (with Power of Sale), dated August 29, 1990, recorded in Volume 2217, Page 1013, in Film Records of El Paso County, Texas, between Francisca G. Herrera, a/k/a Francisca Herrera, an unremarried woman, as Owner, and Robert and Edward Read d/b/a Read's Home Construction, as Contractor, for the amount of \$19,000.00 and transferred to the City of El Paso, to all of which and its record, reference is here made for full particulars.

Property (including any improvements) Subject to Lien:

Lot 17, Block 2, TIGUA PLACE, an addition to the City of El Paso, El Paso County, Texas; according to the plat thereof on file in Book 8, Page 49, Plat Records of El Paso County, Texas; known and numbered as 8123 Tigua Circle

Holder of the notes acknowledges full satisfaction and compliance with repayment terms and releases the property from the lien.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this 2<sup>nd</sup> day of November, 2004.

THE CITY OF EL PASO

\_\_\_\_\_  
Joe Wardy  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

\_\_\_\_\_  
Richarda Duffy Momsen, Trustee

APPROVED AS TO FORM:

\_\_\_\_\_  
Jeff McElroy  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Robert A Salinas, Director  
Community and Human Development

(Acknowledgment)

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on the \_\_\_\_ day of November 2004, by JOE WARDY, as Mayor of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary's Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Notary's name (printed)

(Acknowledgment)

STATE OF TEXAS       )  
                                  )  
COUNTY OF EL PASO    )

This instrument was acknowledged before me on the \_\_\_\_ day of November 2004, by RICHARDA DUFFY MOMSEN, as City Clerk and Trustee of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary's Commission Expires:  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas

\_\_\_\_\_  
Notary's name (printed)

AFTER RECORDING RETURN TO:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PREPARED IN THE LAW OFFICE OF:  
City Attorney's Office  
2 Civic Center Plaza  
El Paso, TX 79901-1196